

REMARKS**I. Introduction**

Claims 1-28 have been canceled. Claims 29-50 have been added. Applicant respectfully submits that no new matter has been added. Applicant respectfully requests reconsideration of the pending application in view of new claims above and the foregoing remarks.

Claims 8 and 11 stand rejected under 35 U.S.C. § 103 as being unpatentable over U.S. Patent Publication No. 2002/0103914 to Dutta et al. ("Dutta") in view of U.S. Patent No. 6,189,008 to Easty et al. ("Easty"). Claim 10 stands rejected under 35 U.S.C. § 103 as being unpatentable over Dutta and Easty in view of U.S. Patent Publication No. 2003/0149755 to Sadot ("Sadot"). Claim 12 stands rejected under 35 U.S.C. § 103 as unpatentable over Dutta and Easty in view of U.S. Patent No. 6,947,985 to Hegli et al. ("Hegli"). Claim 13 stands rejected as being unpatentable over Dutta and Easty in view of U.S. Patent Publication No. 2003/0084184 to Eggleston et al. ("Eggleston").

Claims 8, 10-12, and 13 have been canceled, rendering the rejections thereof moot. Applicant respectfully submits that new claims 29-48 each include features that patentably distinguish over all cited art.

II. New Claims 29-49

For example, none of the cited art discloses the claim 29 features below, *for a plurality of electronic devices, in real time*:

(1) capturing substantially all digital data sent from a network to the electronic device before the digital data is provided to an application layer for presentation to a user of the electronic device; and

(2) delaying delivery of the digital data to the application layer on the electronic device until the digital data is designated non-illicit by a backend system on the network, the backend system comprising at least one server, the at least one server providing a content-rating service for rating illicitness of digital data.

Dutta is restricted to a content-filtering system based on whether content meets a special needs user's accessibility requirements. According to Dutta, each special needs user has a user profile indicating a required level of accessibility. When the special needs user attempts to access content, the system first evaluates the content for a level of accessibility. Via a filtering system, the special needs user receives content that meets the required level of accessibility. Dutta does not disclose *capturing substantially all digital data* or *delaying delivery* in the manner claim 29 requires. Indeed, Dutta's system is ill-equipped to address illicitness of digital data.

Easty, in contrast to the features above, discloses a digital content distribution system for proprietary digital content. The proprietary digital content in Easty's system includes, for example, music and movies. When a content delivery request is received from a user, a server retrieves the requested content and delivers it to the user. Easty attempts to utilize this system to also glean information about users' activities (termed *affinity information* by Easty). To acquire affinity information, Easty discloses, on the user-side, embedding affinity information in user-initiated communications such as requests for the system's digital content. Easty's system then manages the affinity information in an affinity profile for the user. Therefore, Easty's system deals with providing a narrow range of data, namely, affinity information, that is of relative importance to a specific system, namely, the content distribution system. Easty fails to disclose the claim 29 features noted above or otherwise remedy deficiencies of Dutta noted above.

Sadot discloses a method of selecting a server to represent a virtual server hosted by a plurality of servers. Sadot fails to disclose various features of the currently-pending claims.

Hegli discloses a method and system for providing access to resources or services related to particular software applications. Hegli discloses analyzing Internet site requests from a workstation and comparing those Internet site requests with a categorized site/page database. If the requested page is found within the database, it will either be blocked or allowed depending on the access rights granted to the user for that category. Hegli also discusses monitoring the responsiveness of a categorization site management module and, therefore, any "delays" in comparing Internet site requests with the categorized site/page database. However, Hegli fails to

disclose either of the claim 29 features noted above or otherwise remedy deficiencies of Dutta and Easty.

Eggleston discloses a rate governor for monitoring and controlling the amount of communications between a remote communication unit and communication server. As thresholds are passed, a user is alerted to amounts (time and/or charges) spent or remaining, and once a use limit is reached, further communication is restricted. Eggleston fails to disclose the claim 29 features noted above.

For at least these reasons, Applicant respectfully submits that claim 29 and its dependents are in condition for allowance.

III. New Claim 50

New claim 50 recites, *inter alia*:

- (1) *capturing substantially all requests for digital content over a network by an electronic device;*
- (2) *on the electronic device, concurrently routing:
information relating to at least some of the captured requests for digital content to a backend system on the network, the backend system having at least one server providing a content-rating service; and
the at least some captured requests to intended destinations on the network; and*
- (3) *on the at least one server on the backend system, rating the digital content being requested in the at least some of the requests for digital content using the content-rating service.*

Aspects of various embodiments of claim 50 including the features above may be reviewed with reference FIG. 18 of the application as originally filed. Applicant respectfully submits that the above features allow, in various embodiments, digital content to be rated by a backend server while the digital content is being downloaded to the electronic device. In the various embodiments, numerous performance improvements are realized. Dutta, Easty, Hegli, Sadot, and Eggleston each fail to disclose various of the features above.

Applicant respectfully submits that claim 50 is also in condition for allowance. For similar reasons, Applicant respectfully submits that claims 32-36 are also in condition for allowance on their own merit.

IV. Conclusion

In view of the above amendment, Applicant respectfully submits that the present application is in condition for allowance. A Notice to that effect is respectfully requested.

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Respectfully submitted,

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